



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

August 19, 2014

Ref: TMS

Mr. Kevin Bogardus  
Environment and Energy Publishing  
122 C Street NW, Suite 722  
Washington, D.C. 20007

Re: Freedom of Information Act Request  
EPA-R8-2014-007963

Dear Mr. Bogardus:

This letter is in response to your Freedom of Information Act request for records concerning communications between Dr. John Nicoletti and/or his company and EPA Region 8 officials regarding workplace violence incidents, training and classes as described in a February 18, 2014 memorandum by Deputy Regional Administrator Howard Cantor.

The releasable information responsive to your request has been uploaded to FOIAonline. A link has been provided in the email associated with this attachment, or you can enter the above FOIA request number online to access this information. Since the cost for providing this information does not meet our billing threshold, there is no charge.

We are unable to provide you with other documents, or portions of documents, that have been determined to be exempt from mandatory disclosure by virtue of 5 U.S.C. § 552(b), Exemptions 4 (confidential business information claimed), 5 (deliberative process privilege), and 6 (personal privacy). Where releasable information could reasonably be segregated from exempt material, we are providing redacted versions of the documents. In some cases, as described on the attached list, we have determined that entire documents are exempt.

As to any information for which we have identified a claim of confidential business information (exemption 4) as the basis for full or partial withholding, further inquiry by the EPA would be required before a final determination could be made. If after reviewing this response you conclude that you are still seeking any information withheld under exemption 4, please inform Michael Boydston, Associate Regional Counsel, at [boydston.michael@epa.gov](mailto:boydston.michael@epa.gov) or 303-312-7103. If you have not contacted Mr. Boydston by August 29, 2014, we will conclude that you are not seeking any of the information withheld under exemption 4, and therefore will not pursue a final determination as to that material.

You may appeal this partial denial response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, N.W. (2822T),

Washington, D.C. 20460, fax (202) 566-2147, or foia\_hq@epa.gov. Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, N.W. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, N.W., Room 6416J, Washington D.C. 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should clearly identify the determination being appealed, including the assigned FOIA request number shown above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

If you have any questions concerning the provided information, please contact Michael Boydston, Associate Regional Counsel, at boydston.michael@epa.gov or 303-312-7103.

Sincerely,

A handwritten signature in cursive script that reads "Patrice M. Kortuem". The signature is fluid and elegant, with a long, sweeping underline.

Patrice Kortuem  
Acting Assistant Regional Administrator  
Office of Technical and Management Services